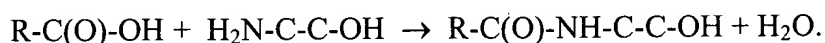
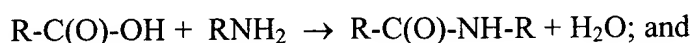


REMARKS

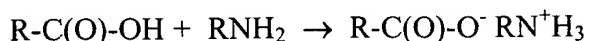
Claims in the Application. Claim 15 has been canceled from the application. Claims 11 and 17 have been amended. Claims 19-26 have been added to this application. Accordingly, Claims 1-14 and 16 - 26 are active in this application. Reconsideration is respectfully requested.

Examiner's Rejection of the Claims Over *Horn* et al. The Examiner has rejected Claim 1, 3, 5-6, 10-16 and 18 under 35 U.S.C. § 103(a) as being unpatentable over WO 98/25985 ("*Horn*"). This ground for rejection is traversed.

The Examiner premises the rejection over *Horn* on the statement made in lines 20-21 of page 4 of the originally filed specification that "fatty acid condensation products suitable for the practice of the present invention can be prepared from fatty acids and alcohols, amino alcohols, amines or mixtures thereof." Amines, as well as amino alcohols and alcohols, form condensation products with fatty acids. A condensation product is a reaction product of two or more reactants wherein water is formed. Exemplary condensation products using amines and amino alcohols are:



Horn discloses the reaction of an amine with a fatty acid to form a *salt*:



Thus, *Horn* discloses the formation of *salt compounds*, not the formation of *condensation products*. The art recognizes the distinction between fatty acid amine salts and fatty acid condensation products. Note, for instance, the classification of fatty acid amine condensates (Sec. 721.3620) versus fatty acid amine salts (Sec. 721.3625) on the EPA Chemical Substance

List, 40 CFR 721.3620 and 40 CFR 721.3525, copies attached. The rejection fails to distinguish between the reaction of an amine and a fatty acid to form a *salt* versus the reaction of an amine and a fatty acid to form a *condensation product*. The rejection should therefore not be maintained.

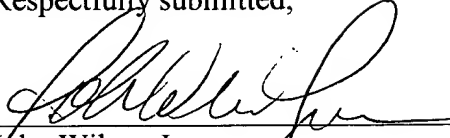
Further, Claim 11 and Claims 20-26 specifically recite the condensation product being the “product of a fatty acid and an alcohol and/or amino alcohol”. *Horn* does not disclose a condensation product of a fatty acid and an alcohol and/or amino alcohol.

Examiner’s Rejection of the Claims Over *Horn et al.* in view of *Clatty*. The Examiner has maintained the rejection of Claims 2 and 4 under 35 U.S.C. § 103(a) as being unpatentable over *Horn et al* and further in view of U.S. Patent No. 4,751,252 (“*Clatty*”). This ground for rejection is likewise traversed. For reasons stated *supra*, *Horn* does not teach the invention set forth in Claim 1. *Clatty* fails to cure the deficiencies of *Horn*.

Examiner’s Rejection of the Claims Over *Slocum*. The Examiner has further rejected Claims 7-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,019,317 (“*Slocum*”). This ground for rejection is also traversed. The Examiner states that that the “claims at issue preclude the formation of a prepolymer”. The claims at issue recite reaction of the “fatty acid condensation product with an isocyanate *in the presence of an IMR-enhancer compound*.” Even if the claims at issue preclude the formation of the prepolymer, as the Examiner contends, the prepolymer of *Slocum* is not prepared in the presence of the IMR-enhancer compound. The rejection therefore should not be maintained.

Conclusion. The claims of Applicant are distinguishable over the cited references for the reasons stated above. The Examiner is invited to telephone the undersigned should he deem it prudent to expedite the processing of this application.

Respectfully submitted,



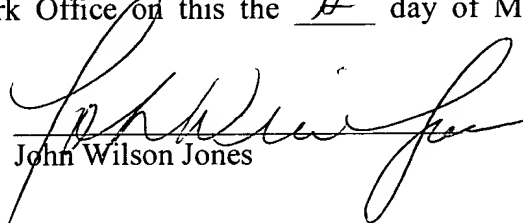
John Wilson Jones
Registration No. 31,380

Date: May 12, 2005

LOCKE LIDDELL & SAPP LLP
3400 JP Morgan Chase Tower
600 Travis
Houston, Texas 77002-3095
Telephone: (713) 226-1142
Facsimile: (713) 229-2570

CERTIFICATE OF TRANSMISSION, 37 C.F.R. § 1.6(d)

I hereby certify that this correspondence is being transmitted to Examiner Allan R. Kuhns at the United States Patent and Trademark Office on this the 12 day of May 2005 via facsimile, (703) 872-9306.



John Wilson Jones